

Remarks

Applicant greatly appreciates the Examiner's indication of allowable subject matter in claims 10-12.

Rejections

Nevertheless, Applicant respectfully traverses the Examiner's rejections of claims 1-9 and 13-17.

Applicant's claim 1 recites the limitation – "said second spacer includes a first compressive stress material."

Contrary to Applicant's invention, neither Krivokapic nor Huang, either singly or in combination, teaches, discloses or suggests Applicant's limitation of claim 1, let alone in combination with the remaining elements of Applicant's claim 1.

In Huang, the spacers are 22, 32 which do not seem to include any compressive stress material.

Reconsideration and allowance are respectfully solicited.

(except for the Extension Fee)
No fee is believed to be due for this submission. If any fees are required, however, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 09-0458.

Respectfully submitted,
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